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PERKINS COIE LLP/MSFT P. O. BOX 1247 SEATTLE, WA 98111-1247			HILLERY, NATHAN	
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SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/24/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/716,761	ALLYN ET AL.	
	Examiner	Art Unit	
	Nathan Hillary	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 14 February 2007.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-24 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____

4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____

5) Notice of Informal Patent Application

6) Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 2/14/07.
2. Claims 1 – 24 are pending in the case. Claims 1, 12, 18 and 20 are independent.

Information Disclosure Statement

3. The information disclosure statement filed 4/7/06 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the specific features of the claim(s) that are relevant are not identified, there is no copy of the beta release or version, there is no “reference” that can be printed on the patent, and the alleged IDS fails to comply with the content requirements of 37 CFR 1.98. See MPEP § 609.04(a) for more information. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claims Rejection – 35 U.S.C. 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1-6, 9-14, and 16-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omura, and further in view of Cohen, S. "Macromedia Fireworks for Windows & Macintosh, Visual Quickstart Guide," Peachpit Press, 2001 [hereinafter Cohen"].**

Regarding **independent claim 1, as amended**, Omura in view of Cohen teaches:

receiving from a computer input device information for the selection of two or more objects in a document, the selection indicating that the selected objects are to be manipulated together by an operation without the need to permanently group the objects;

displaying on a computer display a multiple selection highlight object that bounds the selected objects for purposes of manipulating the selected objects without permanently grouping the selected objects, wherein the multiple selection highlight object provides visual feedback of the multiple selection of the two or more objects and includes handles for object manipulation; and

automatically configuring the selected objects to be manipulated according to the manipulation of the multiple selection highlight object using the handles until an indication is received from a computer input device that the selected objects are to no longer be manipulated as a group.

(See, Omura, page 42, sidebar, teaching highlighting a selected object by "ghosting" and stating: "Ghosting visually tells you that you have chosen that object to be acted

upon by whatever command is active. Ghosting is also referred to as *highlighting*."

[Emphasis in the original.]

See, Omura, pages 42-44, teaching teaches selection of multiple objects.

See, Omura, pages 43-44, teaching bounding windows, also known as a "crossing window," identifying more than one object selected at one time ("multiple selection highlight").

And see, Omura, pages 42-43 and 344-347, teaching that the bounding box becomes inactive when one of the objects is de-selected.

Applicants' claimed invention is the selection of multiple objects, highlighting the selection including a bounding highlight object that includes a manipulation object, wherein the multiple highlighted objects may be manipulated together.

It is noted that the additional limitation of objects becoming highlighted "after the selection information is received" is read as non-functional descriptive language. The fact that a function activates after it is activating is not read as claiming a patentably distinct limitation, but rather is a statement of an obvious act of selection and resultant selection.

The additional amended limitation of "features of object manipulation" discloses a graphic function that was well known by one of ordinary skill in the art at the time of the invention. It is noted that an object of manipulation is defined broadly as including "handles, axis pins, and other features. See, Omura, pages 48-49 and 344-346, teaching the lower corner as an axis pin.

The crossing window is, by design, a multiple selection object, and when used

highlights the objects selected. See, Omura, page 42, sidebar.

Omura does not expressly teach "handles" for moving the surrounding object.

The "handles 304" are disclosed in the specification as rectangular portions of the surrounding object used for moving the object. See, figure 3A, and disclosure, page 15, lines 10-15.

See, Cohen, page 89, teaching the handles and use of the handles for moving the surrounded object.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the crossing window taught by Omura with the handles taught by Cohen.

Omura and Cohen are combinable in that they involve the same art of manipulating electronic document graphic objects.

The suggestion or motivation for the combination is the logical association that handles used to move the surrounding object of one graphic object may be used to move the surrounding object of a plurality of graphics objects.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined to teachings of Omura and Cohen to result in the invention specified in the claims.)

Regarding **dependent claim 2**, Omura in view of Cohen teaches:

The method of claim 1, wherein receiving information for the selection of two or more objects comprises receiving information based on one of a

continuous selection of all of the two or more objects or an individual selection of each of the two or more objects.

(See, Omura, pages 47-50, teaching "SI" as the function for selection of multiple individual objects and "Auto" as the function for automatically selecting multiple objects.)

Regarding **dependent claim 3**, Omura teaches:

The method of claim 1, wherein creating highlight objects that correspond to the two or more objects comprises creating outlines that each at least partially bound one of the two or more objects and add emphasis to the appearance of the two or more objects.

(See, Omura, page 42, sidebar, teaching highlighting a selected object by "ghosting" and stating: "Ghosting visually tells you that you have chosen that object to be acted upon by whatever command is active. Ghosting is also referred to as *highlighting*."

[Emphasis in the original.]

Regarding **dependent claim 4**, Omura in view of Cohen teaches:

The method of claim 1, wherein creating a multiple selection highlight object that corresponds to the highlight objects comprises creating an outline that at least partially bounds the highlight objects, wherein the outline comprises at least one of:

a rotation handle that can be manipulated to cause the rotation of the multiple selection highlight object and the highlight objects;

a selection handle that can be manipulated to cause the resizing of the multiple selection highlight object and the highlight objects; and an axis pin that can be positioned to provide an axial reference point for the manipulation of the two or more objects.

(Omura teaches multiple selection highlighting of highlighted selected objects, and that such multiple selection can be in the form of a bounding rectangle. Omura does not expressly teach that the “outline that at least partially bounds the highlighted objects” comprises at least one of a “rotation handle,” a “selection handle,” or an “axis pin.”

Cohen teaches selection handles and an axis pin. See, Cohen, pages 88-92.

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Omura and Cohen to result in a multiple selection highlight object with handles and an axis pin. Both references teach the use of software for computer generated graphical data objects, and both teach the selection, identification of the selection, and manipulation of the objects.

The motivation to combine the references is drawn from the fact that both references teach a bounding rectangle around an object for the purpose of identifying the object within for manipulation. It would have been obvious to one of ordinary skill in the art at the time of the invention to have added the handles and axis of Cohen to the bounding rectangle of Omura, for the purpose of ease of manipulation of the object.)

Regarding **dependent claim 5**, Omura in view of Cohen teaches:

The method of claim 1, further comprising:

*detecting a rotative manipulation of the multiple selection highlight object;
and
displaying the highlight objects and the multiple selection highlight object
in a rotated orientation corresponding to the rotative manipulation of the multiple
selection highlight object.*

(See, Omura, pages 344-347, teaching rotative manipulation of the multiple selection highlight object, being the rotation of the kitchenette and its included individual objects.

The additional limitation of "features of object manipulation" discloses a graphic function that was well known by one of ordinary skill in the art at the time of the invention. It is noted that an object of manipulation is defined broadly as including "handles, axis pins, and other features. See, Omura, pages 48-49 and 344-346, teaching the lower corner as an axis pin.)

Regarding **dependent claim 6**, Omura in view of Cohen teaches:

*The method of claim 4, further comprising:
displaying the multiple selection highlight object with the axis pin visible in
response to a positioning of the user interface in a vicinity of the rotation handle;
detecting a positioning of the axis pin; detecting an engagement and
manipulation of the rotation handle by the user interface;
periodically displaying the highlight objects and the multiple selection
highlight object in a temporary rotated orientation relative to the positioning of the*

axis pin and the manipulation of the rotation handle until the rotation handle is disengaged by the user interface; and

displaying the highlight objects and the multiple selection highlight object in a permanently rotated orientation relative to the positioning of the axis pin and corresponding to the manipulation of the rotation handle before it is disengaged by the user interface.

(See, rejection of claims 4 and 1 above, incorporated herein by reference.

See, Cohen, page 91, teaching a rounded arrow that functions as a “rotation handle” in that when it is dragged either clockwise or counterclockwise, the object is rotated around the visible rotative axis.)

Regarding **dependent claim 9**, Omura in view of Cohen teaches:

The method of claim 4, further comprising:
detecting a manipulation of the selection handle; and
displaying the highlight objects and the multiple selection highlight object with one or more of their dimensions modified relative to the manipulation of the selection handle.

(See, Cohen, page 88-91, teaching modification of an object by manipulation of handles on the bounding rectangle.)

Regarding **dependent claim 10**, Omura in view of Cohen teaches:

The method of claim 4, further comprising:

detecting an engagement and manipulation of the selection handle by a user interface;
periodically displaying the highlight objects and the multiple selection highlight object with one or more of their dimensions temporarily modified relative to the manipulation of the selection handle until the selection handle is disengaged by the user interface; and
displaying the highlight objects and the multiple selection highlight object with one or more of their dimensions permanently modified corresponding to the manipulation of the selection handle before it is disengaged by the user interface.

(See, Cohen, page 88-91, teaching modification of an object by manipulation of handles on the bounding rectangle.)

Regarding **dependent claim 11**, Omura in view of Cohen teaches:

The method of claim 1, further comprising:
detecting the deselection of at least one of the two or more objects; and
displaying the two or more objects with an appearance that corresponds to previous manipulations of the multiple selection highlight object.

(See, Omura, pages 344-347, teaching manipulation of objects to a display a final position. See also, Omura, page 43, teaching that an object is not selected until return is pressed, any action without the return is automatically deselected.)

Regarding claims 12, 13, and 14, claims 12, 13, and 14 incorporate substantially similar subject matter as claimed in claims 1, 4, and 6, respectively, and are rejected along the same rationale.

Regarding claims 16, 17, and 18, claims 16, 17, and 18 incorporate substantially similar subject matter as claimed in claims 9, 11, and 1, respectively, and are rejected along the same rationale.

Regarding **dependent claim 19**, Omura in view of Cohen teaches:

The computer-readable medium of claim 18, further comprising:
logic for detecting a manipulation of the multiple selection highlight object relative to a single dimension;
logic for proportionately resizing two or more dimensions of the first highlight object in correspondence with the manipulation of the multiple selection highlight object when the first highlight object is not aligned with the orientation of the multiple selection highlight object, thereby reducing distortion of the shape of the object when it is resized; and
logic for rendering the first highlight object, the second highlight object, and the multiple selection highlight object to the graphical user interface with one or more of their dimensions modified in correspondence with the manipulation of the multiple selection highlight object.

(See, Omura, page 345, teaching scale" and "stretch" for proportionally resizing multiple objects.)

Regarding **independent claim 20**, Omura in view of Cohen teaches:

automatically associating two or more objects to a common reference object in response to a selection of the two or more objects, the selection indicating that the selected objects are to be manipulated together by an operation without the need to permanently group the objects, the common reference object bounding the two or more objects for purposes of manipulating the selected objects without permanently grouping the selected objects and including handles for object manipulation;

causing a manipulation of the two or more objects in response to making the manipulation to the common reference object; and

automatically disassociating the two or more objects from the common reference object in response to an indication that the selected objects are to no longer be manipulated as a group.

(See, Omura, pages 41-50, teaching the automatic association of highlighted objects in a window and the manipulation of those objects.)

Regarding **dependent claim 21**, Omura in view of Cohen teaches:

The computer-implemented method of claim 20, wherein automatically associating two or more objects to a common reference object comprises

aligning the common reference object to the orientation of at least one of the two or more objects.

(See, Omura, pages 69-74, teaching the “snap” function to align objects with a common orientation.)

Regarding **dependent claim 22**, Omura in view of Cohen teaches:

The computer-implemented method of claim 20, wherein causing a manipulation of the two or more objects comprises causing at least one of rotating, flipping, or resizing the two or more objects in response to making the manipulation to the common reference object.

(See, Omura, pages 41-50, 69-74, and pages 344-347, teaching automatic association of selected and highlighted objects, rotative manipulation of the multiple selection highlight object, being the rotation of the kitchenette and its included individual objects.)

Regarding **dependent claim 23**, Omura in view of Cohen teaches:

The computer-implemented method of claim 20, further comprising establishing a common reference point with respect to the common reference object, wherein the common reference point is repositionable, and the two or more objects are manipulable with respect to the common reference point.

(See, Omura, pages 44-47, teaching the use of “base points.”)

Regarding claim 24, claim 24 incorporates substantially similar subject matter as claimed in claim 9, and is rejected along the same rationale.

5. Claims 7, 8, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Omura in view of Cohen, as applied to claim 4 above, and further in view of “Micrografx Designer Reference Guide,” Micrografx, Inc., 1990 [hereinafter “Micrografx”].

Regarding **dependent claim 7**, Omura in view of Cohen and further in view of Micrografx teaches:

*The method of claim 4, further comprising:
detecting an input of a flip command for the two or more objects; and
displaying the highlight objects and the multiple selection highlight object
in a position that is flipped relative to a position of the axis pin in accordance with
the flip command.*

(Omura and Cohen teach the invention of claim 4, but do not expressly teach a “flip command” or teaches a flip of an object relative to a position of the axis pin.

Micrografx teaches both “flip horizontal” and “flip vertical” functions which flip an object side-to-side or top-to-bottom, respectively. Flipping an object in this manner is inherently flipping relative to the central axis. In addition, Micrografx expressly teaches a pivot pin (“axis pin”) and that the pivot pin may be set to the center of the object. See, Micrografx pages 9-26 and 9-27.

One of ordinary skill in the art at the time of the invention would have known of the teachings of Omura, Cohen, and Micrografx because all of the references teach the use of software applications for the manipulation of computer generated graphical data objects. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Omura and Cohen to result in a multiple selection highlight object with handles and an axis pin that includes a "flip command."

The motivation to combine the references is drawn from the fact that the references teach a bounding rectangle around an object for the purpose of identifying the object within for manipulation. It would have been obvious to one of ordinary skill in the art at the time of the invention to have added the handles and axis of Cohen to the bounding rectangle of Omura, for the purpose of ease of manipulation of the object. In addition, the "flipping" of an object is a common manipulation, and it would have been obvious to one of ordinary skill in the art at the time of the invention to extend the combination invention of Omura and Cohen to include the common object manipulation of flipping.)

Regarding **dependent claim 8**, Omura in view of Cohen and further in view of Micrografx teaches:

The method of claim 4, further comprising:
displaying the multiple selection highlight object with the axis pin visible in response to a positioning of the user interface in a vicinity of the rotation handle;
detecting a positioning of the axis pin;

*detecting an input of a flip command for the two or more objects; and
displaying the highlight objects and the multiple selection highlight object
in a position that is flipped relative to the positioning of the axis pin in accordance
with the flip command.*

(Omura and Cohen teach the invention of claim 4, but do not expressly teach a "flip command" or teaches displaying the multiple selection highlight object with the axis pin visible in response to a positioning of the user interface in a vicinity of the rotation handle.

Micrografx teaches both "flip horizontal" and "flip vertical" functions which flip an object side-to-side or top-to-bottom, respectively. Flipping an object in this manner is inherently flipping relative to the central axis. In addition, Micrografx expressly teaches a pivot pin ("axis pin") and that the pivot pin may be set to the center of the object. See, Micrografx pages 9-26 and 9-27.

One of ordinary skill in the art at the time of the invention would have known of the teachings of Omura, Cohen, and Micrografx because all of the references teach the use of software applications for the manipulation of computer generated graphical data objects. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Omura and Cohen to result in a multiple selection highlight object with handles and an axis pin that includes a "flip command," and that the bounding rectangle would be displayed in response to a positioning of the use interface in a vicinity of the rotation handle. The display of the bounding rectangle in response to the user interface is an obvious extension of the function taught in Cohen, where the

rotational “rounded arrow” appears when the cursor is moved outside the bounding box. The timing of when the bounding box or the rotational handle appears as a “response” to the “user interface” is a design decision based on art recognized equivalent alternatives.

The motivation to combine the references is drawn from the fact that the references teach a bounding rectangle around an object for the purpose of identifying the object within for manipulation. It would have been obvious to one of ordinary skill in the art at the time of the invention to have added the handles and axis of Cohen to the bounding rectangle of Omura, for the purpose of ease of manipulation of the object. In addition, the “flipping” of an object is a common manipulation, and it would have been obvious to one of ordinary skill in the art at the time of the invention to extend the combination invention of Omura and Cohen to include the common object manipulation of flipping.)

Regarding claim 15, claim 15 incorporates substantially similar subject matter as claimed in claim 7, and is rejected along the same rationale.

Response to Arguments

6. Applicant's arguments filed 2/14/07 have been fully considered but they are not persuasive.
7. Applicant argues that the written description and enablement rejections under 35 USC 112, first paragraph.

The Office disagrees.

However, in light of applicant's arguments and submitted declaration, the Office finds that all the features in question are rendered obvious to one of ordinary skill in the art and are well-known; thus they are not limiting for purposes of examination under 35 USC 103(a). Generally, receiving information from a computer input device relation to the selection of objects, displaying an object with handles on a computer display that bounds selected objects, automatically configuring the bounded objects for being manipulated using the handles for object manipulation, and the like (Declaration, paragraphs 4-7) are notoriously well-known and obvious to one of ordinary skill in the art at the time of the invention. Further, Omura clearly and expressly teaches these features as admitted by applicant (p 13, last paragraph). Consequently, applicant concedes obviousness in relation to these features.

8. Applicant argues that Omura fails to teach a multiple selection highlight object that bounds the selected objects for purposes of manipulating the selected objects without permanently grouping the selected objects because Omura apparently discloses that when multiple objects are selected, subsequent manipulation operations can be performed only on the grouped multiple objects, and not on individual objects, until the grouped multiple objects are ungrouped (p 14, last paragraph).

The Office disagrees.

First, as addressed in the previous argument, applicant concedes that displaying an object with handles on a computer display that bounds selected objects, which is

equivalent to a multiple selection highlight object that bounds the selected objects would have been obvious to one of ordinary skill in the art at the time of the invention. Further, by applicant's own admission, Omura clearly and expressly teaches the selection and highlighting of objects (p 13, last paragraph). Also, the fact that the selected objects are for purposes of manipulating the selected objects without permanently grouping the selected objects amounts to intended use.

Secondly, Omura actually meets the claimed limitation on its merits in addition to applicant's admission and concession. Nowhere in Omura (pp 42 – 44 as cited by applicant) does it teach "grouping" let alone "permanent grouping". Omura teaches manipulating selected objects and the option of unselecting objects, which is exact what the claim language requires, manipulating selected objects without permanently grouping the selected objects.

9. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the capability to select and manipulate multiple objects with respect to a common reference and/or by a single operation without the need to permanently transform or group the objects to form a new object or to later transform or ungroup the objects in order to manipulate one or more of them individually." (p 14, third paragraph)) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NH



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